

• COPY OF PAPERS
ORIGINALLY FILED

1616

Please type a plus sign (+) inside this box → ☒

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0851-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/978,454
Filing Date	October 15, 2001
First Named Inventor	ERION
Group Art Unit	TBA
Examiner Name	TBA
Attorney Docket Number	030727.0027.CON1

RECEIVED

FEB 15 2002

TECH CENTER 1600/2900

Total Number of Pages in This Submission 11

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Return Postcard
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s)	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Brobeck, Phleger & Harrison LLP
Signature	<i>Risa M. McGehee</i> , Reg. No. 41,185
Date	1-03-2002

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:

Typed or printed name	BARBARA J. KIELT
Signature	<i>Barbara J. Kiel</i>
Date	Jan. 3, 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



#4
Patent
030727.0027.CON1
2/23/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Mark D. Erion, et al.

Serial No.: 09/978,454

Filed: October 15, 2001

For: NOVEL PRODRUGS FOR
PHOSPHORUS-CONTAINING
COMPOUNDS

Group Art Unit: TBA

Examiner: TBA

COPY OF PATENT
ORIGINAL

RECEIVED
FEB 15 2002
TECH CENTER 1600/2900

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In compliance with Applicants' duty under 37 CFR 1.56, the following information is brought to the attention of the Examiner. The items listed on the attached Form PTO 1449 were cited in Parent U.S. Patent Application number 09/392,352, filed September 8, 1999. Therefore, copies of the same are not enclosed. Applicants respectfully request that the documents be made of record in the above-referenced application. Applicants also request that the Examiner return an initialed copy of the attached Form PTO 1449 with the next Official Action indicating that the documents have been considered.

CERTIFICATE OF MAILING
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with anything referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

January 3, 2002
Date of Deposit

BARBARA J. KIELT
Name of Person Mailing Paper
Barbara J. Kielt
Signature of Person Mailing Paper

Information Disclosure Statement
Serial No.: 09/978,454
Page 2 of 2

This Information Disclosure Statement is believed to be timely in that it is being submitted under 37 CFR 1.97(b)(3) before the mailing of a first Office Action on the merits, whereby no fee is required. However, if counsel for Applicant is in error in this regard, the Commissioner is authorized to charge any required fee to counsel's Deposit Account No. 50-1273.

Respectfully submitted,

BROBECK, PHLEGER & HARRISON LLP

Dated: 1-03-2002

By: Lisa M. McGeehan
Lisa M. McGeehan
Reg. No. 41,185

BROBECK, PHLEGER & HARRISON LLP
12390 El Camino Real
San Diego, CA 92130-2081
Telephone: (858) 720-2500
Facsimile: (858) 720-2555